

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1795
Examiner : Ben Lewis
Appln. No. : 10/713,833
Applicants : William James Moore et al.
Filing Date : November 14, 2003
Confirmation No. : 2557
For : ALKALINE ELECTROCHEMICAL CELL

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board from the decision of the Primary Examiner mailed December 13, 2007 finally rejecting claims 1-16 and 24-51.

The item checked below is appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

☒ other than a small entity
☐ small entity

Verified Statement

☐ attached
☐ previously submitted on

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 35 U.S.C. § 41(a)(6) the fee for filing the Notice of Appeal is:

☐ small entity \$255.00
☒ other than a small entity \$510.00

Notice of Appeal fee due: \$ 510.00

Applicants : William James Moore et al.
Appln. No. : 10/713,833
Page : 2

3. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

- (a) Applicant petitions for an extension of time under 37 C.F.R. §§41.37(e) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<u> </u> one month	\$120.00	\$60.00
<u> </u> two months	\$460.00	\$230.00
<u> </u> three months	\$1050.00	\$525.00
	Fee:	\$

- (b) x Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee: \$ 510.00
Extension fee (if any): \$

Total Fee Due: \$ 510.00

5. FEE PAYMENT

 Attached is a check in the sum of \$

 x Charge Account No. 16 2463 the sum of \$ 510.00

Applicants : William James Moore et al.
Appln. No. : 10/713,833
Page : 3

6. FEE DEFICIENCY

 x If any additional extension and/or fee is required charge Account No. 16 2463.

and/or

 If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

March 12, 2008

Date

/Kevin T. Grzelak/

Kevin T. Grzelak, Registration No. 35 169
Price, Heneveld, Cooper, DeWitt & Litton, LLP
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

KTG/AZW/svh